

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRUEPOSITION, INC.,

Plaintiff,

v.

LM ERICSSON TELEPHONE COMPANY
(Telefonaktiebolaget LM Ericsson), QUALCOMM
INC., ALCATEL-LUCENT, S.A., THIRD
GENERATION PARTNERSHIP PROJECT a/k/a
3GPP, and EUROPEAN TELECOMMUNICATIONS
STANDARDS INSTITUTE,

Defendants.

CIVIL ACTION
2:11-cv-04574-RFK

**DEFENDANT EUROPEAN TELECOMMUNICATIONS
STANDARDS INSTITUTE'S MOTION TO DISMISS
PLAINTIFF TRUEPOSITION, INC.'S AMENDED COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(2) and 12(b)(6), defendant European Telecommunications Standards Institute ("ETSI") hereby moves the Court to dismiss plaintiff TruePosition, Inc.'s Amended Complaint as against ETSI. The grounds for this Motion are set forth in the accompanying Memorandum of Law and other supporting documents.

Oral argument is respectfully requested.

WHEREFORE, defendant ETSI respectfully requests that the Court grant this Motion and dismiss this action as against ETSI pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(2) and 12(b)(6).

Respectfully submitted,

Dated: March 16, 2012

/s/ Richard S. Taffet

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Attorneys for Defendant

European Telecommunications Standards Institute

CERTIFICATE OF SERVICE

I, Derek Care, hereby certify that on March 16, 2012, I caused true and correct copies of the following to be served on all parties to this litigation by ECF and first class mail:

1. Defendant European Telecommunications Standards Institute's Motion to Dismiss Plaintiff TruePosition, Inc.'s Amended Complaint, dated March 16, 2012 (the "Motion");
2. Memorandum of Law In Support of the Motion, dated March 16, 2012;
3. Declaration Of William S.D. Cravens In Support of the Motion, dated March 16, 2012; and
4. Proposed Order.

Dated: March 16, 2012

/s/ Derek Care
Derek Care